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OFFICE OF PETITIONS

In re Application of :
Levkoff et al. :
Application No. 09/610,402 : ON PETITION
Filed: 5 July, 2000 :
Attorney Docket No. MSGNT-001 :

This is a decision on the renewed petition under 37 CFR 1.48(a), filed by facsimile on 26 June, 2001, and supplemented on 27 June and 17 August, 2001, requesting correction of the inventorship of the above-referenced patent application. This is also a decision on the renewed petition under 37 CFR 1.183 seeking waiver of 37 CFR 1.67 and 1.63 where they require that a supplemental declaration be executed by the named inventor.

The petition is **granted**.

Petition Under 37 CFR 1.48(a)

As a result of the papers filed on 3 January, 2001, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and, accordingly, this application has been corrected in compliance with 37 CFR 1.48(a)(2). The inventorship of this application has been changed by the addition of Peter A. Rinfret, Greenwich, CT; Michael Elling, Mendham, NJ, and Sunir Kochlar, Franklin, TN.

Petition Under 37 CFR 1.183

In view of the efforts recounted in the petition to obtain the signature of Jonathon S. Levkoff, it is agreed that justice would be served by waiving the requirement for his signature on the supplemental declaration filed on 17 August, 2001.

The aforementioned supplemental declaration has been accepted, on petition, and placed in the file.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt and correction of PTO PALM data to reflect the inventorship as corrected. Thereafter, the application will be forwarded to Technology Center 2100 for examination in due course.

Telephone inquiries concerning this matter may be directed to Petitions Attorney Douglas I. Wood at 703.308.6918.

A handwritten signature in cursive script, appearing to read "Beverly M. Flanagan".

Beverly M. Flanagan
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for Patent Examination Policy